# SUPREME COURT *Chronicle*

Issue XXVI | December 2025



## *Highlights of the Issue:*

- Oath Ceremony of the 53rd Chief Justice of India
- Farewell Ceremony of the 52nd Chief Justice of India
- Observance of Constitution Day, 2025
- Celebration of Legal Services Day, 2025
- All India Judges Badminton Championship

## Chief Justice's Corner



Dear Readers,

It gives me great pleasure to present the December 2025 Edition of the Supreme Court Chronicle. This issue reflects the Supreme Court's continued engagement with constitutional values, time-honoured traditions, and initiatives that strengthen the judicial community.

Over the years, the Chronicle has evolved into an important platform for reflection, dialogue, and institutional memory. By documenting milestone initiatives, official programmes, landmark judgments, and the evolving ethos of the Judiciary, it serves as an invaluable resource for Judges, members of the Bar, scholars, and the public at large.

This compilation holds particular significance as it commemorates the farewell and Guard of Honour accorded to Hon'ble Mr. Justice B. R. Gavai, Former Chief Justice of India. Throughout his distinguished tenure, his wisdom and jurisprudence have contributed to the holistic development of law and have reaffirmed the Judiciary's role in advancing social justice.

The pages that follow capture important moments of collective reflection and recommitment. The observance of Constitution Day, 2025 provided an occasion to revisit the foundational principles that animate our democracy. In a similar spirit, the celebration of Legal Services Day, 2025 underscores our unwavering dedication to access to justice and highlights the essential role of legal services in promoting equity, inclusion, and social empowerment throughout our country.

Finally, this iteration also covers initiatives beyond the courtroom, such as the All India Judges Badminton Championship, highlighting the importance of camaraderie, well-being, and interaction within the legal fraternity.

I hope that the events chronicled here offer meaningful insight into the functioning of the Supreme Court and its continuing mission to uphold the rule of law. I trust that this publication will inform and inspire, encouraging deeper engagement with this Court's work and values.

I commend the collective effort behind this Edition and extend my best wishes to all stakeholders in the Justice Delivery System, including the readers of the Supreme Court Chronicle, as we continue our shared constitutional journey.

**Justice Surya Kant**
[Chief Justice of India]

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Editorial
Supreme Court of India

***Published by***
Centre for Research and Planning (CRP)
Supreme Court of India
New Delhi-110001

***Website***
https://www.sci.gov.in/supreme-court-chronicle/



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# Oath Ceremony of the 53rd Chief Justice of India - Justice Surya Kant



*24 November 2025: Hon'ble the President, Smt Droupadi Murmu; Hon'ble the Vice President, Shri C P Radhakrishnan; Hon'ble the Prime Minister, Shri Narendra Modi; Justice Surya Kant, Chief Justice of India; Shri Arjun Ram Meghwal, Union Minister of State for Law & Justice (Independent Charge); Justice B R Gavai, former Chief Justice of India, at the oath taking ceremony of Justice Surya Kant as the 53rd Chief Justice of India*



*24 November 2025: Justice Surya Kant at the Ganatantra Mandap, Rashtrapati Bhavan, during his oath-taking ceremony as the 53rd Chief Justice of India*

*24 November 2025: Justice Surya Kant signing the oath form at Rashtrapati Bhavan following his swearing-in as the 53rd Chief Justice of India*





*24 November 2025: Justice Surya Kant paying tribute to Mahatma Gandhi at the Supreme Court premises after taking oath of office as the 53rd Chief Justice of India*

*24 November 2025: Justice Surya Kant paying floral tribute to Dr B R Ambedkar at the Supreme Court premises after taking oath of office as the 53rd Chief Justice of India*



# Farewell Ceremony for the 52nd Chief Justice of India - Justice B R Gavai



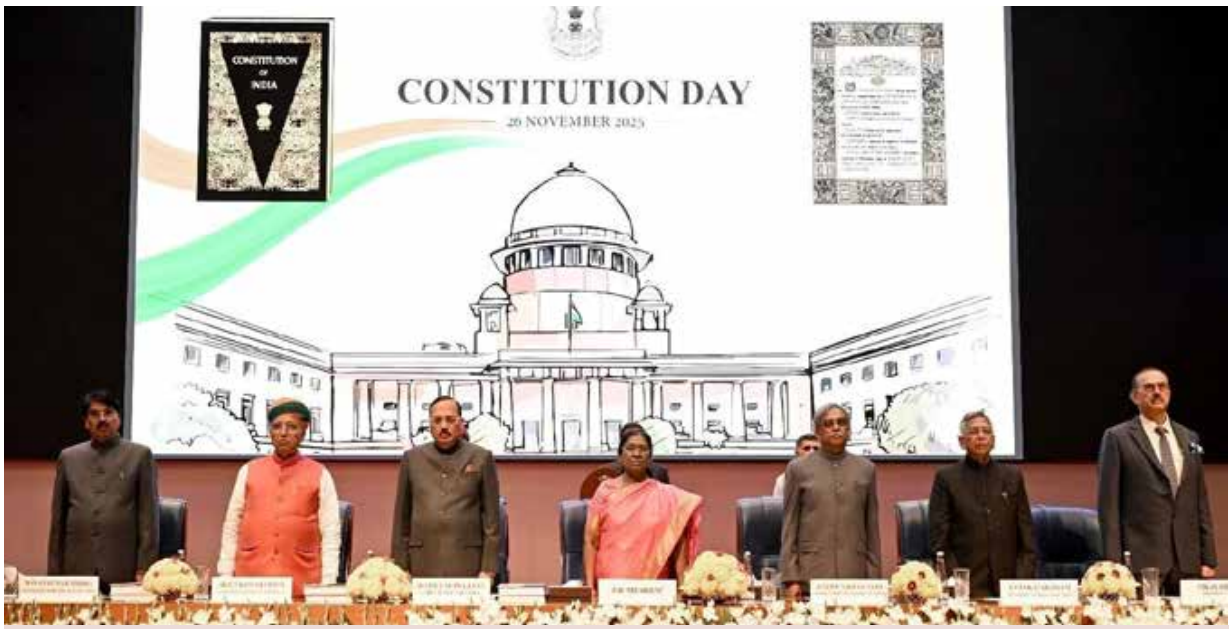
*21 November 2025: Justice B R Gavai, the then Chief Justice of India, was accorded a Guard of Honour in a Ceremonial Farewell marking the conclusion of his judicial tenure*



*21 November 2025: Justice B R Gavai, the then Chief Justice of India, along with Justice Surya Kant, Chief Justice (Designate), on his last working day*

# National Engagements

## Observance of Constitution Day - 2025




*26 November 2025: Hon'ble the President of India, Smt Droupadi Murmu, graced the Constitution Day Celebrations at the Supreme Court of India as the Chief Guest, along with Justice Surya Kant, Chief Justice of India; Justice Vikram Nath, Judge, Supreme Court of India; Shri Arjun Ram Meghwal, Union Minister of State for Law & Justice (Independent Charge); R Venkataramani, Attorney General for India; Manan Kumar Mishra, Chairman, Bar Council of India and Vikas Singh, Senior Advocate and President, Supreme Court Bar Association*

26 November 2025: The Supreme Court of India observed the 76th anniversary of the adoption of the Constitution (*Samvidhan Diwas*), through a ceremonial programme reflecting on the nation's democratic journey.

Addressing the gathering, Hon'ble the President of India, Smt Droupadi Murmu, paid homage to the founding fathers of the Constitution. In her address, the President observed that the Constitution of India is "our national text" and emphasised that it is our national duty to conduct both institutions and individual lives in accordance with the values enshrined therein.

Speaking on the occasion, Chief Justice Surya Kant noted that despite continuous transformation, one constant has anchored India's progress: the Constitution. He described it as the nation's "enduring *grundnorm*", and the "stabilising force that has allowed change without chaos, and growth without drift".

In the same Constitutional spirit, Justice Vikram Nath observed that Constitution Day is "not a ritual", but a "reaffirmation of the shared values that bind us", that is, the dignity of the individual, the unity of the nation, and the enduring hope that democratic institutions will continue to evolve for the better.

The observance underscored the Supreme Court's commitment to upholding constitutional values and reaffirmed the enduring relevance of the Constitution as the guiding framework for India's democratic governance.



*26 November 2025: Justice Surya Kant, Chief Justice of India, presented a memento illustrating the Mysore Rosewood Inlay work to Hon'ble the President of India, Smt Droupadi Murmu*



*26 November 2025: Justice Surya Kant, Chief Justice of India, released the 'Annual Report of Indian Judiciary' for the Year 2024-2025, and presented the first copy to Hon'ble the President of India, Smt Droupadi Murmu. The "Indian Judiciary: Annual Report 2024-25" is a compendium which gives information about the functioning, endeavours and achievements of the Indian Judiciary, in the cause of justice and for realization of the goals of the makers of the constitution. This year the annual report was divided into two separate volumes: Volume-1 pertains to the Supreme Court of India and Volume-2 pertains to the High Courts*



*26 November 2025: Hon'ble the President of India, Smt Droupadi Murmu; Justice Surya Kant, Chief Justice of India, along with the Judges of the Supreme Court; Shri Arjun Ram Meghwal, Union Minister of State for Law & Justice (Independent Charge); R Venkataramani, Attorney General for India, on the occasion of Constitution Day celebrations at the Supreme Court of India*



*26 November 2025: Hon'ble the President of India, Smt Droupadi Murmu, along with Justice Surya Kant, Chief Justice of India, and Chief Justices/Judges of Bhutan, Kenya, Mauritius, Malaysia, Nepal, and Sri Lanka*



*26 November 2025: Justice Surya Kant, Chief Justice of India, along with Justice Lyonpo Norbu Tshering, Chief Justice of Bhutan; Justice Martha Koome, FCIArb, EGH, Chief Justice and President of the Supreme Court of Kenya; Justice P Padman Surasena, Chief Justice of Sri Lanka; Justice Rehana Bibi Mungly-Gulbul, Chief Justice of Mauritius; Justice Susan Njoki Ndungu, Judge, Supreme Court of Kenya; Justice Tan Sri Datuk Nallini Pathmanathan, Judge, Federal Court of Malaysia; Justice Sapana Pradhan Malla, Judge, Supreme Court of Nepal; Anil Kumar Sinha, former Judge, Supreme Court of Nepal, presently Minister of Law, Justice and Parliamentary Affairs, Government of Nepal; Justice S Thurairaja, PC, Judge, Supreme Court of Sri Lanka; and Justice AHMD Nawaz, Judge, Supreme Court of Sri Lanka, who attended the Constitution Day Celebrations, 2025*



*26 November 2025: Justice Surya Kant, Chief Justice of India, along with Judges from the Supreme Courts/Federal Courts of Bhutan, Kenya, Malaysia, Mauritius, Nepal and Sri Lanka, accompanied by their respective spouses*

## International Mooting Academy for Advocacy, Negotiation, Dispute Adjudication, Arbitration & Resolution (IMAANDAAR)



*29 November 2025: Justice Surya Kant, Chief Justice of India inaugurates the International Mooting Academy (IMAANDAAR) organised by O P Jindal Global University at Sonipat, Haryana*




*29 November 2025: Justice Surya Kant, Chief Justice of India; Justice B V Nagarathna, Justice M M Sundresh, Justice P S Narasimha, Justice Dipankar Datta, Justice Sanjay Karol, Justice Rajesh Bindal, Justice Aravind Kumar, Justice Prashant Kumar Mishra, Justice Augustine George Masih, Justice N Kotiswar Singh, Justice R Mahadevan and Justice Joymalya Bagchi, Judges, Supreme Court of India; Shri Arjun Ram Meghwal, Union Minister of State for Law & Justice (Independent Charge); and R Venkataramani, Attorney General for India, at the inauguration of the International Mooting Academy (IMAANDAAR) and the enactment of the Kesavananda Bharati case organised by O P Jindal Global University at Sonipat, Haryana*

## Seminars and Lectures




*01 November 2025: Justice B R Gavai, the then Chief Justice of India, presided over a seminar as the Chief Guest, on "Constitution and Constitutionalism: The Philosophy of Dr B R Ambedkar" at the University of Allahabad, along with Justice Vikram Nath, Judge, Supreme Court of India, as the Guest of Honour*




*07 November 2025: Justice Vikram Nath, Judge, Supreme Court of India delivered the Keynote Address on 'Between Custody and Constitution: Field Lessons in Delivering Fair Trial Rights' and released the Report of the Fair Trial Programme in Pune and Nagpur on 'Legal Aid for Undertrial Prisoners' organised by the Square Circle Clinic, NALSAR University*

*18 November 2025: Justice Rajesh Bindal, Judge, Supreme Court of India, chaired the conference on the theme of "Use of AI in Courtrooms" organised by All India Lawyers' Forum, Indian Law Institute, New Delhi*

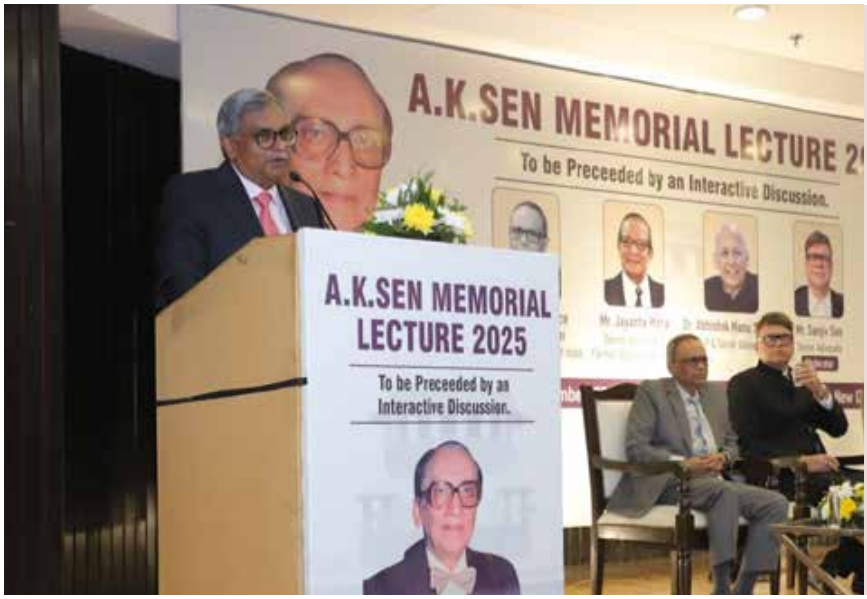





*02 November 2025: Shri Yogi Adityanath, Chief Minister of Uttar Pradesh; Justice Surya Kant and Justice Vikram Nath, Judges, Supreme Court of India; and Justice Arun Bhansali, Chief Justice of High Court of Allahabad, at the Fourth Convocation Ceremony of Dr Ram Manohar Lohiya National Law University (RMLNLU)*




*15 November 2025: Justice Surya Kant, Justice Dipankar Datta, Justice Ahsanuddin Amanullah, Justice Prashant Kumar Mishra, Justice Sandeep Mehta, Justice P B Varale, Justice R Mahadevan, Justice Joymalya Bagchi, and Justice Vijay Bishnoi, Judges, Supreme Court of India; along with Shri Arjun Ram Meghwal, Union Minister of State for Law & Justice (Independent Charge), attended the Celebrations of 25th Year of the establishment of High Court of Jharkhand at Ranchi, Jharkhand*




*07 November 2025: Justice Vikram Nath and Justice Joymalya Bagchi, Judges, Supreme Court of India, at the 2025 edition of the A K Sen Memorial Lecture*

*08 November 2025: Justice K V Viswanathan, Judge, Supreme Court of India, participated in the Joint Panel Discussion of the 6th Full Meeting of the Standing International Forum of Commercial Courts [SIFoCC] at Bharat Mandapam, New Delhi*






*10-11 October 2025: Justice P B Varale, Judge, Supreme Court of India, attended as the Chief Guest the Conference on the theme "Organ Donation in India" by Indian Society of Organ Transplantation*

## Sports and Recreation: All India Judges Badminton Championship



*29-30 November 2025: Justice Surya Kant, Chief Justice of India; Justice Vikram Nath, Judge, Supreme Court of India; and Shri Arjun Ram Meghwal, Union Minister of State for Law & Justice (Independent Charge), at the inauguration of the All India Judges Badminton Championship held at Thyagaraj Stadium, New Delhi*

*30 November 2025: Justice Vikram Nath, Justice Dipankar Datta, and Justice Satish Chandra Sharma, Judges, Supreme Court of India, along with Justice B R Gavai, former Chief Justice of India, at the All India Judges Badminton Championship held at Thyagaraj Stadium, New Delhi*





*29-30 November 2025: Over 70 High Court Judges from across the country participated in the inaugural edition of the championship, making it a celebration of sportsmanship, unity, and camaraderie. The winners included Justice Farhan Parvez Dubash in Men's Singles; Justice Savitri Ratho in Women's Singles; Justice Farhan Parvez Dubash and Justice Sarang Kotwal in Men's Doubles; and Justice Pratibha M. Singh and Justice Savitri Ratho in Women's Doubles*

# Legal Aid

## Celebrations of Legal Services Day, 2025



*08 November 2025: Hon'ble the Prime Minister of India, Shri Narendra Modi; Justice B R Gavai, the then Chief Justice of India; Justice Surya Kant, and Justice Vikram Nath, Judges, Supreme Court of India; and Shri Arjun Ram Meghwal, Union Minister of State for Law & Justice (Independent Charge), at the inauguration of the National Conference on "Strengthening Legal Aid Delivery Mechanisms" and the celebrations of Legal Services Day, at the Supreme Court of India*

08–09 November 2025: The National Legal Services Authority (NALSA), under the leadership of Justice Surya Kant (Judge, Supreme Court of India and then Executive Chairman, NALSA), organized a two-day National Conference on "Strengthening Legal Aid Delivery Mechanisms". The event held at the Supreme Court of India, served both to celebrate Legal Services Day and to mark three decades of NALSA's commitment to advancing meaningful access to justice. The conference brought together a unified assembly of the judiciary, executive, and legislature to reaffirm the constitutional vision of Article 39A, ensuring that justice is accessible to all, irrespective of economic or social disadvantage.

The inaugural session was graced by Shri Narendra Modi, Hon'ble the Prime Minister of India, along with Justice B R Gavai, the then Chief Justice of India; Justice Surya Kant and Justice Vikram Nath, Judges, Supreme Court of India and Shri Arjun Ram Meghwal, Hon'ble Minister of State (Independent Charge) for Law and Justice. The Inaugural Function reflected the unity of the legislature, executive, and judiciary in reaffirming India's constitutional commitment to "Equal Justice for All."

During the ceremony, the Prime Minister launched the Community Mediation Training Manual and described legal aid as the vital bridge between the



*09 November 2025: Justice Surya Kant, Judge, Supreme Court of India and Executive Chairman, NALSA; Justice Vikram Nath, Judge, Supreme Court of India; Justice Sanjeev Sachdeva, Chief Justice, High Court of Madhya Pradesh; Justice Arun Palli, Chief Justice, High Court of Jammu & Kashmir and Ladakh; Justice Ashutosh Kumar, Chief Justice, Gauhati High Court; and Justice Ashwani Kumar Mishra, Executive Chairperson, Punjab State Legal Services Authority, undertook Working Session V of the National Conference, titled 'Financial Management and Budgetary Allocation in Legal Services Institutions'*

judiciary and the people. He further commended NALSA's pioneering work in strengthening access to justice through innovation, technology, and grassroots legal empowerment.

The conference was structured around five thematic working sessions chaired by various Supreme Court Judges focusing on (i) Institutional Defense for Inclusive Justice: The Legal Aid Defense Counsel System (LADCS) Approach, (ii) Panel Lawyers at the Forefront: Strengthening Legal Aid for Inclusive Justice, (iii) Empowering Para-Legal Volunteers (PLVs): Building Competence and Community Reach, (iv) Strengthening Permanent Lok Adalats (PLAs): Reach, Regularity and Responsiveness and (v) Financial Management of Legal Services Institutions.



*08 November 2025: Justice J K Maheshwari, Judge, Supreme Court of India; Justice Manindra Mohan Shrivastava, Chief Justice, High Court of Madras; Justice Nitin Jamdar, Chief Justice, High Court of Kerala; Justice V Kameswar Rao, Executive Chairperson, Delhi State Legal Services Authority; and Justice Anu Sivaraman, Executive Chairperson, Karnataka State Legal Services Authority, undertook Working Session I of the National Conference titled 'Institutional Defense for Inclusive Justice: The Legal Aid Defense Counsel System (LADCS)'*



*08 November 2025: Justice B V Nagarathna, Judge, Supreme Court of India; Justice Sheel Nagu, Chief Justice, High Court of Punjab & Haryana; Justice Sunita Agarwal, Chief Justice, High Court of Gujarat; Justice M S Sonak, Executive Chairperson, Goa State Legal Services Authority; and Justice P Sam Koshy, Executive Chairperson, Telangana State Legal Services Authority, undertook Working Session II of the National Conference, titled 'Panel Lawyers at the Forefront: Strengthening Legal Aid for Inclusive Justice'*



*08 November 2025: Justice M M Sundresh, Judge, Supreme Court of India; Justice Harish Tandon, Chief Justice, High Court of Orissa; Justice M S Ramachandra Rao, Chief Justice, High Court of Tripura; Justice Manoj Kumar Gupta, Executive Chairperson, Uttar Pradesh State Legal Services Authority; and Justice A Muhamed Mustaque, Executive Chairperson, Kerala & Lakshadweep State Legal Services Authorities, undertook Working Session III of the National Conference titled 'Empowering Para Legal Volunteers (PLVs): Building Competence and Community Reach'*



*09 November 2025: Justice P S Narasimha, Judge, Supreme Court of India; Justice Devendra Kumar Upadhyaya, Chief Justice, High Court of Delhi, Justice Gurmeet Singh Sandhawalia, Chief Justice, High Court of Himachal Pradesh, Justice A Y Kogje, Judge, High Court of Gujarat, and Justice Lisa Gill, Judge, High Court of Punjab & Haryana, undertook Working Session IV of the National Conference titled 'Strengthening Permanent Lok Adalats (PLAs): Reach, Regularity & Responsiveness'*

## Special Session on the Maintenance and Welfare of Parents & Senior Citizens Act, 2007




*17 November 2025: Dr Virendra Kumar, Union Minister, Ministry of Social Justice & Empowerment; Justice Surya Kant, Judge, Supreme Court of India; Shri Amit Yadav, Secretary, Ministry of Social Justice & Empowerment at a Special Session on Maintenance and Welfare of Parents & Senior Citizens Act, 2007, which was organised by the Department of Social Justice & Empowerment, Government of India, in collaboration with National Legal Services Authority (NALSA)*




*17 November 2025:*
*Justice Surya Kant, Judge, Supreme Court of India, addressed the gathering at a Special Session on Maintenance and Welfare of Parents & Senior Citizens Act, 2007. He emphasized the role and place of senior citizens from the time immemorial as the part of our moral values in the form of* "अभिवादन शीलस्य नित्यं वृधोपसेविन | चत्वारि तस्य वर्धन्ते आयुर्विद्या यशो बलम् ||"

17 November 2025: In a collaborative effort, the Department of Social Justice & Empowerment and NALSA organized a special session focused on the Maintenance and Welfare of Parents & Senior Citizens (MWPSC) Act, 2007. The session aimed to increase awareness regarding the legal rights of the elderly and role of community in enforcement of these rights both at individual level and at community levels.

In his address, Justice Surya Kant emphasized that the elders are the ones who guide the younger generation and build an effective and virtuous society. He also called for deeper collaboration between various departments to function as a team.

Speaking on the occasion, Dr Virendra Kumar highlighted various government initiatives, including the schemes providing assistive devices, toll-free support number for elderly, and health insurance coverage of ₹5 lakh for citizens aged 70 and above.

## Sankalp: A Sensitization Programme on Removing Barriers to Reproductive Autonomy through Legal Aid




*02 November 2025: Justice Surya Kant and Justice Vikram Nath, Judges, Supreme Court of India, released the Compendium of Standard Operating Procedures during the inauguration of "Sankalp: A Sensitization Programme on Removing Barriers to Reproductive Autonomy through Legal Aid" organised by the U P State Legal Services Authority.*



*02 November 2025: Justice Surya Kant, Judge, Supreme Court of India, addressed the gathering as the Chief Guest. During the address, he emphasized that "women, irrespective of circumstances, deserve full assurance that the justice delivery system will stand firmly with them."*

02 November 2025: Justice Surya Kant commended the achievements of the UPSLSA and congratulated on the launch of its AI-based chatbot, 'Nyay Marg', which aims to bridge the gap between beneficiaries and their legal entitlements through technology and enhanced awareness. He also recalled the constitutional mandate under Article 39A of the Constitution of India, emphasising the State's duty to provide free legal aid to citizens. Justice Vikram Nath, in his address, appreciated the initiative 'Sankalp', an awareness campaign focused on addressing issues of reproductive autonomy through legal support mechanisms.

The programme further featured expert discussions by professionals from diverse fields, including psychiatry, law enforcement, public health, women's rights advocacy, and maternal healthcare services. Key themes included psychological support for survivors of forced motherhood; inter-agency coordination among the police, medical professionals, and courts; as well as the medical and legal dimensions of the Medical Termination of Pregnancy Act, 1971.

# Global Engagements

## 30th Conference of the Parties to the United Nations Framework Convention on Climate Change




*09-17 November 2025: Justice N Kotiswar Singh, Judge, Supreme Court of India, participated as a Speaker at the event themed "Justice, Climate and Human Rights Day", in the context of the Action Agenda of 30th Conference of the Parties of the United Nations Framework Convention on Climate Change, in Belém, Brazil*

09-17 November 2025: Justice N Kotiswar Singh, speaking at the United Nations Climate Conference (COP-30), traced the evolution of the Supreme Court's environmental jurisprudence, highlighting a gradual shift from an anthropocentric approach to recognising nature's intrinsic value. He referred to India's ancient ecological traditions and noted how colonial interventions disrupted this balance. Justice Singh recalled that in the early decades after Independence, environmental issues were treated largely as public nuisance matters, but this changed following the 1972 Stockholm Conference and the 42nd Constitutional Amendment, which introduced Articles 48A and 51A(g). He underscored the transformative role of Public Interest Litigation in expanding Article 21 to include the right to a healthy environment.

Addressing contemporary challenges, Justice Singh stated that the Court today seeks to balance ecological protection with developmental needs through the framework of sustainable development. He emphasised judicial restraint, the reliance on expert bodies, and the Court's awareness of its institutional limits, while acknowledging its role in filling legislative gaps when necessary. Looking ahead, he identified climate change and biodiversity protection as key challenges and stressed the need for a nuanced approach that accommodates India's developmental priorities. Invoking Vasudhaiva Kutumbakam and the principle of common but differentiated responsibilities, he reaffirmed the Court's commitment to upholding environmental rights guided by constitutional values, scientific inputs, and institutional self-restraint.

# From the Bar

## Unveiling of Portraits and Lecture - Supreme Court Bar Association (SCBA)



*11 November 2025: Justice B R Gavai, the then Chief Justice of India, along with R Venkataramani, Attorney General for India, attended the Unveiling of Portraits and Lecture on the theme "Legends of the Bar and Rule of Law - A Tribute to Late Shri Lal Narayan Sinha and Late Shri Shanti Bhushan, organised by Supreme Court Bar Association (SCBA)*

## Farewell Function of Justice B R Gavai




*20 November 2025: Supreme Court Advocates-on-Record Association (SCAORA) organised a programme to bid farewell to Justice B R Gavai, the then Chief Justice of India, marking the conclusion of his distinguished judicial career*




*20 November 2025: Justice Surya Kant, Judge, Supreme Court of India released the 2nd Edition of the SCAORA Journal, 'SUO MOTO', at the farewell ceremony of Justice B R Gavai, the then Chief Justice of India. This journal brings together the literary contributions of the members showcasing their scholarship, creativity and commitment to the profession*

## Inauguration of Supreme Court Advocates-on-Record Association (SCAORA) Room



*28 November 2025: Justice Surya Kant, Chief Justice of India; Justice P S Narasimha, Justice Aravind Kumar, Justice K V Viswanathan, Justice P B Varale and Justice N Kotiswar Singh, Judges, Supreme Court of India, inside the new SCAORA office, inaugurated by Justice Surya Kant, in the Supreme Court of India*

# Fresh from the Bench

## In Re: Assent, Withholding or Reservation of Bills by the Governor and the President of India (2025 INSC 1333)

***"Our constitutional scheme works, only if it is worked. It is one thing to say that one constitutional organ will not substitute or supplant the wisdom or role of another constitutional authority, but completely another – to shy away from checks and balances on this pretext, when there is deliberate inaction."***

**CORAM: Chief Justice B R Gavai, Justice Surya Kant, Justice Vikram Nath, Justice Pamidighantam Sri Narasimha and Justice Atul S Chandurkar**

In an opinion delivered on **20 November 2025,** a Constitution Bench of the Supreme Court answered the Presidential Reference made under Article 143(1) regarding the powers of the Governor and President in the legislative process. The Court concluded that a Governor cannot withhold assent to a Bill *simpliciter* without returning it to the legislature and clarified the scope of judicial review over gubernatorial inaction.

The Reference arose amidst legal ambiguity following the judgment in *State of Tamil Nadu v. Governor of Tamil Nadu* (2025), specifically regarding the Governor's options under Article 200, the applicability of timelines, and the justiciability of assent. The President sought the Court's opinion on fourteen questions concerning the interpretation of Articles 200, 201, 142, and 361.

### Court's Reasoning and Key Observations

- **Governor's Options under Article 200:** The Court clarified that the Governor has three distinct options: (i) assent, (ii) withhold assent *and* return the Bill (if not a Money Bill) for reconsideration, or (iii) reserve the Bill for the President. The Court ruled that the first proviso qualifies the power to "withhold," meaning a Governor cannot withhold assent without returning the Bill to the House. There is no constitutional option to indefinitely withhold assent to frustrate a Bill.
- **Discretion over Aid and Advice:** The Bench held that in exercising these specific options under Article 200, the Governor exercises constitutional discretion and is not bound by the aid and advice of the Council of Ministers. This ensures the Governor acts as a constitutional check rather than a rubber stamp.
- **Justiciability and Inaction:** The Court held that while the merits of a Governor's decision under Article 200 are not justiciable, inaction is subject to scrutiny. In cases of "prolonged, unexplained, and indefinite" delay that frustrates the legislative process, the Court can issue a limited mandamus directing the Governor to make a decision within a reasonable time.
- **No Rigid Timelines or Deemed Assent:** Overruling the *State of Tamil Nadu* judgment on this specific point, the Constitution Bench

held that courts cannot judicially prescribe rigid timelines for the Governor or President. Furthermore, the Court rejected the doctrine of "deemed assent," stating that the Judiciary cannot substitute the constitutional role of the Executive by deeming a Bill passed under Article 142.

- **Article 361 Immunity:** The Court clarified that while Article 361 grants the Governor personal immunity from court proceedings, it does not shield the constitutional office of the Governor from judicial review in cases of constitutional inaction.

### Outcome

The Supreme Court answered the Reference by establishing that Governors must engage in the constitutional dialogic process (returning or reserving bills), and avoid prolonged inaction. It affirmed that while the specific choice of action is discretionary and non-justiciable, indefinite inaction is amenable to a limited judicial direction to act.

## All India Judges Association and Ors. v. Union of India and Ors. (2025 INSC 1328)

***"Ambition is a ladder, the last rung of which is always elusive to the one pursuing it, who endlessly searches for it; based on which, seniority cannot be fixed."***

**CORAM: Chief Justice B R Gavai, Justice Surya Kant, Justice Vikram Nath, Justice K Vinod Chandran and Justice Joymalya Bagchi**

In a judgment delivered on **19 November 2025,** a Constitution Bench of the Supreme Court issued guidelines to determine seniority within the Higher Judicial Services (HJS) across all States. The Court addressed the long-standing dispute over inter se seniority between Regular Promotees (RPs), officers promoted through Limited Departmental Competitive Examination (LDCE), and Direct Recruits (DRs).

The judgment arose from an interlocutory application filed by the Amicus Curiae highlighting the "heartburn" among judicial officers in the lower rungs who felt disadvantaged by the direct recruitment of younger candidates to the HJS. The Court sought to balance the competing claims while ensuring a uniform national framework.

### Court's Reasoning and Key Observations

- **Rejection of "Heartburn" as Basis:** The Court rejected the argument that "heartburn" or discontentment among RPs due to the direct recruitment of younger officers constitutes a valid legal ground for preferential treatment. It held that individual career aspirations cannot dictate seniority rules, which must serve the larger goal of an independent judiciary.
- **Loss of "Birthmark":** Relying on the principle laid down in *Roshan Lal Tandon*, the Bench reiterated that once officers from different sources (RP, LDCE, DR) enter the common cadre of District Judges, they lose their "birthmark." Their seniority must be determined by their length of service in the HJS cadre, not by their past service or performance in the lower judiciary.
- **Uniform 4-Point Roster:** To ensure uniformity, the Court mandated an annual

4-point roster system for determining seniority: **RP, RP, LDCE, DR**. This sequence will repeat until all appointees for a recruitment year are placed.

- **Seniority and Recruitment Delays:** The Court clarified that if a recruitment process initiated in a particular year (Year A) is delayed and appointments are made in the subsequent year (Year A+1), the appointees will still be entitled to seniority as per the roster of Year A, provided no recruitment for Year A+1 has commenced.
- **Unfilled Vacancies:** If vacancies for DRs or LDCEs remain unfilled after the recruitment process, they can be filled by Regular Promotees in the same year. However, such RPs will be placed at the bottom of the seniority list for that year (occupying subsequent RP roster points) and will not take the roster points meant for DRs or LDCEs.

### Outcome

The Supreme Court disposed of the application by issuing directions to all States and Union Territories to amend their service rules within three months to incorporate the 4-point roster system. The Court affirmed that continuous length of service within the cadre, regulated by the roster, shall be the sole criterion for seniority.

## In Re: Saranda Wildlife Sanctuary (In T.N. Godavarman Thirumulpad v. Union of India & Ors.) (2025 INSC 1311)

***"The natural forest which had taken millions of years to come to this climatic climax would be destroyed for a mine of 12 to 13 years life span. A serious thought in this regard shall be given."***

**Coram: Chief Justice B R Gavai and Justice K Vinod Chandran**

In a judgment delivered on **13 November 2025,** a two-judge bench of the Supreme Court issued directions to the State of Jharkhand to declare the Saranda area as a Wildlife Sanctuary. The Court was hearing applications highlighting the State's inaction in declaring the sanctuary despite directives from the National Green Tribunal (NGT) and its own previous orders.

The Saranda forest, known as one of the most pristine Sal forests in the world and a biodiversity hotspot, had been the subject of concern due to potential mining activities. While the State government initially proposed a larger area, it subsequently reduced the proposed sanctuary area, citing public infrastructure and tribal rights.

### Court's Reasoning and Key Observations

- **Mandate to Protect:** The Court emphasized the State's constitutional duty under Articles 48A and 51A(g) to protect and improve the environment and safeguard forests and wildlife. It held that the State cannot "run away from its duty" to declare the sanctuary, especially given the Wildlife Institute of India's (WII) report highlighting the region's immense ecological significance.
- **Rejection of Reduced Area:** The Bench rejected the State's proposal to reduce the

sanctuary area from the originally notified 31,468.25 hectares (under a 1968 notification) to 24,941.64 hectares. It noted that the State's own affidavits confirmed that no mining or non-forest diversion had taken place in the larger area.

- **Tribal Rights Protected:** Addressing the State's argument that the sanctuary would infringe upon the rights of tribals and forest dwellers, the Court clarified that section 24(2)(c) of the Wildlife (Protection) Act, 1972 and the Forest Rights Act, 2006 (FRA) provide ample protection. It termed the State's apprehension a "bogey" and "figment of imagination," noting that forest rights are statutorily recognised and vested.
- **Sustainable Mining Balance:** While mandating the sanctuary, the Court also balanced development needs by permitting the exclusion of six specific compartments identified as Mining Zones in the Management Plan for Sustainable Mining (MPSM), allowing mining activities to continue in those limited areas.

### Outcome and Directions

The Supreme Court disposed of the applications with the following key directions:

1. **Notification of Sanctuary:** The State of Jharkhand must notify the Saranda as a Wildlife Sanctuary, comprising the area of 126 compartments (as per the 1968 notification), within three months.
2. **Exclusion of Mining Zones:** Six specific compartments (KP-2, KP-10, KP-11, KP-12, KP-13, and KP-14) identified as Mining Zones are excluded from the sanctuary.
3. **Mining Restrictions:** The Court reiterated that mining is prohibited within the National Park/Wildlife Sanctuary and within a 1 km buffer zone from their boundaries.
4. **Publicity of Rights:** The State is directed to give wide publicity to the fact that the notification of the sanctuary will not adversely affect the individual or community rights of tribals and forest dwellers, which remain protected under the FRA.

## In Re: Corbett (In T.N. Godavarman Thirumulpad v. Union of India & Ors.) (2025 INSC 1325)

***"It is this Court's duty, therefore, in light of our constitutional scheme and international obligations, to adopt restorative measures that ensure environmental degradation is firstly mitigated and then reversed and restored to its original form, while also prioritising mitigation of future risk to the environment."***

**Coram: Chief Justice B R Gavai, Justice Augustine George Masih and Justice Atul S Chandurkar**

In a judgment delivered on **17 November 2025,** a three-judge bench of the Supreme Court issued directions for the ecological restoration of the Corbett Tiger Reserve and laid down pan-India guidelines for the establishment of Tiger Safaris in buffer and fringe areas of Tiger Reserves.

This judgment is a continuation of the Court's earlier order dated 06 March 2024, where it had constituted an Expert Committee to assess the environmental damage caused by illegal construction and tree felling in Corbett (Pakhrau Tiger Safari project) and to recommend guidelines for Tiger Safaris. The present judgment accepts the Committee's report and issues binding directions for implementation.

## Court's Reasoning and Key Observations

- **Restoration of Corbett:** Adopting a "restitutive approach" mandated by Articles 21, 48A, and 51A(g), the Court accepted the Committee's recommendation to restore the local *in-situ* environment at Corbett to its original state. The State of Uttarakhand was directed to submit a restoration plan within 2 months and complete the demolition of unauthorized structures within 3 months under the supervision of the Central Empowered Committee (CEC).
- **Tiger Safaris Permitted with Strict Riders:** The Court ruled that Tiger Safaris *can* be permitted in buffer or fringe areas (strictly prohibited in core/critical habitats) but only on "non-forest land" or "degraded forest land" that does not form part of a tiger corridor.
- **Sourcing of Animals:** Upholding the "ecocentric" approach, the Bench mandated that Tiger Safaris can only house animals rescued from the same landscape or conflict animals. Sourcing animals from zoos is prohibited. The Safari must be integrated with a rescue centre.
- **Prohibited Activities:** The Court accepted the Committee's list of prohibited activities in buffer/fringe areas, including commercial mining, sawmills, and large hydroelectric projects. It also banned the use of low-flying aircraft (including drones) for tourism over Tiger Reserves.
- **Silence Zones:** To minimize disturbance to wildlife, the Court directed that the entire area of Tiger Reserves (including their Eco-Sensitive Zones) be notified as "Silence Zones" under the Noise Pollution Rules, 2000.
- **Resorts and Tourism:** New resorts in buffer areas must be "eco-friendly" and are banned in tiger corridors. The Court ordered a complete ban on night tourism and stipulated that traffic on roads cutting through core areas must be stopped from dusk to dawn (except emergency vehicles).

## Outcome and Directions

The Supreme Court disposed of the applications with the following key directions:

1. **Restoration:** The State of Uttarakhand must restore the damage at Corbett under CEC supervision.
2. **Safari Guidelines:** All future Tiger Safaris must strictly adhere to the 2019 NTCA Guidelines subject to the modifications in this judgment (only rescued animals, CZA approval for enclosures, etc.).
3. **Pan-India Management:** All States must notify core/buffer areas and prepare Tiger Conservation Plans (TCPs) within specific timelines. The Court also directed the setting up of a "Special Cell" to review staffing patterns and fill vacancies in Tiger Reserves to ensure effective protection.

## Madras Bar Association v. Union of India
## (2025 INSC 1330)

***"The responsibility of reducing pendency in courts does not rest only on the judiciary. It is a shared institutional duty. While the judiciary must strive to enhance efficiency in case management and decision-making, the other branches of government must exercise their legislative and executive powers with due regard to constitutional principles and judicial precedent."***

**Coram: Chief Justice B R Gavai and Justice K V Chandran**

The judgment pronounced on **19 November 2025** examines the constitutional validity of the Tribunals Reforms Act, 2021. It arises from a challenge by the Madras Bar Association to several provisions of the Act relating to the appointment process, age and tenure, and service conditions of tribunal members, on the ground that they dilute judicial independence and run contrary to binding directions issued in earlier Supreme Court decisions on tribunals.

The judgment traces the history of tribunal jurisprudence where the Court repeatedly directed longer tenure, judicial-dominant selection committees, inclusion of advocates, and better service conditions, and asked for a National Tribunals Commission.

The Parliament enacted the Finance Act 2017 with a tribunal chapter and framed the 2017 and 2020 Rules, many parts of which were struck down or read down. Subsequently, it enacted the Tribunals Reforms Act, 2021, to consolidate and rationalise tribunals, but several of its provisions were alleged to substantially replicate or reintroduce arrangements already disapproved by the Court (e.g., short tenure, executive-dominated selection, and other constraints).

### Court's Reasoning and Key Observations

The Court emphasises that while Parliament may change the law to remove the basis of a judicial decision, it cannot simply reenact or repackage what has been held unconstitutional, nor can it neutralise binding directions issued to secure judicial independence. The Court also held that the tribunal design must be tested not just against explicit constitutional provisions such as the fundamental rights but also against the structural principles of separation of powers, rule of law, and independence of judiciary, and therefore provisions that reduce judicial role in appointments, allow excessive executive control over tenure/conditions, or frustrate earlier directions are invalid.

It also found that the challenged provisions were in violation of the law and hence, were struck down. These provisions were struck down because they constitute an impermissible legislative override that violates the core constitutional principles of the separation of powers and judicial independence. Since these provisions reproduce the substance of previously struck-down laws, they fail to address the underlying constitutional infirmities identified in prior judgments. By attempting to nullify binding judicial directions and indirectly intruding into the judicial sphere, the Act violates the doctrine of constitutional supremacy and contradicts the law declared by the Supreme Court under Article 141.

### Outcome

The Supreme Court declared the impugned Act as unconstitutional for violating constitutional

principles, including separation of powers and judicial independence. The Court reaffirmed its previous direction that the Union of India is constitutionally obligated to establish a National Tribunals Commission (NTC) within a period of four months of this judgment. In the meantime, *Madras Bar Association v. Union of India and Another (2021) 7 SCC 369* and *Madras Bar Association v. Union of India and Another (2022) 12 SCC 455,* shall continue to govern all matters relating to the appointment, qualifications, tenure, service conditions, and allied aspects concerning tribunal members and chairpersons.

## Mihir Rajesh Shah v. State of Maharashtra (2025 INSC 1288)

***"The ends of fairness and legal discipline therefore, demand that this procedure be as affirmed above shall govern arrests henceforth"***

**Coram: Chief Justice B R Gavai, and Justice Augustine George Masih**

In a judgment delivered on **06 November 2025**, the Supreme Court held that grounds of arrest must be communicated in writing to the arrestee in a language they understand, with oral intimation allowed only in exigent cases, but written grounds are mandatory no later than two hours before magistrate production, and non-compliance renders the arrest illegal.

In July 2024, appellant Mihir Rajesh Shah was arrested following a BMW hit-and-run accident in Mumbai's Worli area that resulted in a fatality. The police allegedly informed him of the grounds of arrest only orally, without providing a written statement, which appellant contended violated his fundamental right under Article 22(1) of the Constitution of India, requiring information of grounds "as soon as may be", and section 47 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter, the BNSS), mandating communication of full particulars of the offence and grounds. The Bombay High Court acknowledged the procedural lapse but upheld the arrest, reasoning that the gravity of the offence outweighed the irregularity. Aggrieved by it, the appellant filed the present appeal.

### Court's Reasoning/Observations

The Supreme Court observed that the safeguard under Article 22(1) is absolute and applies universally to all arrests under any law, i.e., general criminal statutes like BNS 2023 or special laws such as UAPA and PMLA. The Court departed from prior ambiguities by mandating written communication in the arrestee's language, rejecting mere oral conveyance as insufficient because it is unverifiable, prone to disputes amid arrest stress, and fails to empower the accused for legal consultation or defence preparation. A narrow exception was carved for practical exigencies, like red-handed arrests during ongoing crimes, where oral intimation suffices initially, but written grounds must follow within a reasonable time, strictly no later than two hours before the first magistrate production to enable meaningful bail or remand opposition. Non-compliance vitiates the arrest and any subsequent remand, entitling to immediate release. However, prosecution may re-arrest after furnishing compliant written grounds with

a delayed explanation for magistrate scrutiny within a week, balancing rights protection with investigative needs.

### Outcome

The court held that the grounds of arrest must be communicated to the arrestee in writing and in a language understood, for all offences under all statutes. If immediate written communication is not feasible, oral intimation must be followed by written grounds within a reasonable time and at least two hours before production before the Magistrate, failing which the arrest and remand are illegal.

This landmark ruling elevates procedural compliance as substantive due process, deterring arbitrary arrests.

## State of Himachal Pradesh & Anr. v. M/s OASYS Cybernatics Pvt. Ltd. (2025 INSC 1355)

***"an LoI creates no vested right until it passes the threshold of final and unconditional acceptance. It is but a "promise in embryo," capable of maturing into a contract only upon the satisfaction of stipulated preconditions or upon the issue of an LoA."***

**Coram: Chief Justice Surya Kant, Justice Ujjal Bhuyan and Justice N Kotiswar Singh**

The judgment delivered on **24 November 2025** involved a dispute over a government tender for the modernization of the Public Distribution System (PDS) in Himachal Pradesh. Towards this end, Appellant-State had engaged the Respondent-company for the supply and maintenance of ePoS devices at Fair Price Shops across the State.

The case brings to the forefront the legal balance between "public interest" and the "constitutional prohibition on arbitrariness in State action." It specifically addresses the validity of a state's decision to cancel a Letter of Intent (LoI) after the recipient had already begun performance-related activities.

The respondent was issued an LoI in September 2022, subject to multiple pre-conditions including NIC compatibility testing, live demonstration and submission of cost details. The Himachal Pradesh High Court, upon a challenge by the Respondent, set aside the cancellation of the LoI after finding it to be arbitrary, reasonless, and in violation of the principles of natural justice. Aggrieved by the High Court's judgement, the State of Himachal Pradesh filed an appeal in the Supreme Court.

### Court's Reasoning and Observations

The Supreme Court framed and addressed the following two primary issues for determination:

**Issue 1**: Whether the Letter of Intent dated 02.09.2022 created any binding or enforceable rights in favour of the Respondent company, or remained a conditional, pre-award communication subject to fulfilment of stipulated prerequisites?

The Court determined that the LoI dated September 2, 2022, did not create any binding or enforceable contractual rights in favor of

the Respondent-company for the following reasons:

- **Promise in Embryo:** Drawing from established precedents like *Dresser Rand S.A.* and *Rajasthan Cooperative Dairy Federation*, the Court reiterated that an LoI is merely a precursor to a contract. It indicates an intention to enter into a contract in the future but is not the contract itself. It was described as a "promise in embryo" that only matures into a legal obligation upon unconditional acceptance and fulfillment of all contingencies.

- **Sequential Pre-conditions:** The LoI in question was explicitly conditional. The Court held that since these technical and procedural prerequisites were not fully satisfied to the State's final satisfaction, no "concluded contract" existed.

**Issue 2**: Whether the Appellant-State's of cancelling the Letter of Intent, was arbitrary, unreasoned, or violative of the principles of natural justice, thereby warranting interference?

The Court clarified that while administrative orders should ideally contain reasons, an absence of reasons in the letter is not fatal if they are discernible from the official records at the time of the decision. It distinguished between elucidating existing reasons and fresh grounds to retrospectively justify an otherwise unreasoned order. Moreover, the court observed that the respondent failed to satisfy mandatory LoI requirements despite repeated reminders. The court observed that since the State opted for a fresh, open tender rather than awarding the contract to a specific bidder behind closed doors, the Court found no evidence of favoritism or improper motive.

In the light of these, the court issued the following guidelines:

- The Appellant-State is permitted to issue a fresh tender and the respondent-company is free to participate in the fresh tender process subject to compliance with the conditions

- A joint fact-finding enquiry shall be conducted by the State, in association with the respondent, to reimburse the respondent for the verified items on the principle of *quantum meruit* which was to be completed within three months.

- All devices, software, hardware or technological infrastructure handed over or utilised during the pilot/demonstration period shall vest in the State free of encumbrances, subject to payment of assessed costs.

## Outcome

Thus, the Supreme Court held that a LoI is a "promise in embryo" and does not create any vested or enforceable contractual rights until all stipulated preconditions are fulfilled and the State remains free to reassess its position prior to formal acceptance. The Court also held that the State had tangible, bona fide grounds for dissatisfaction regarding technical compatibility and fiscal transparency, which justified the cancellation of the LoI.

## Samadhan s/o Sitaram Manmothe v. State of Maharashtra & Anr (2025 INSC 1351)

***"The law must remain sensitive to such genuine cases where trust has been breached and dignity violated, lest the protective scope of Section 376 of the IPC be reduced to a mere formality for those truly aggrieved. At the same time, the invocation of this principle must rest upon credible evidence and concrete facts, and not on unsubstantiated allegations or moral conjecture."***

**Coram: Justice B V Nagarathna and Justice R Mahadevan**

In a judgment delivered on **24 November 2025**, the Supreme Court addressed a criminal appeal involving allegations of rape under the pretext of a false promise of marriage. The case centered on a three-year consensual relationship characterized by emotional involvement and physical intimacy, which the complainant retrospectively sought to criminalize following the breakdown of the relationship. This case arose from an appeal against the Bombay High Court's refusal to quash the FIR which had been registered against the appellant under Sections 376, 376(2)(n) and 507 of the Indian Penal Code, 1860 (hereinafter, IPC). The appeal sought the exercise of inherent powers under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (hereinafter, the BNSS) (formerly Section 482 CrPC) to prevent the abuse of the criminal justice system.

### Court's Reasoning and Observations

The Court made several key observations regarding the distinction between a failed relationship and a criminal offense:

- **Consensual Nature**: The Court noted that the relationship lasted three years, during which the parties remained "close and emotionally involved," and physical intimacy during a "functioning relationship cannot be retrospectively branded as instances of offence of rape merely because the relationship failed to culminate in marriage".
- **Vitiation of Consent**: Citing *Mahesh Damu Khare vs. State of Maharashtra [(2024) 11 SCC 398]*, the Court observed that unless a relationship is "traceable directly to the false promise made and not qualified by other circumstances," it cannot be said there was a "vitiation of consent under misconception of fact".
- **Abuse of Process**: The Court highlighted a disquieting tendency to give broken relationships a colour of criminality, stating that converting every sour relationship into an offense of rape trivialises the seriousness of the offence and inflicts "grave injustice" on the accused.
- **Respondent's Volition**: The Court found the allegations of a false pretext of marriage unsustainable because the respondent herself had previously opposed the idea of marriage due to her own subsisting marriage and yet continued to meet the appellant of her own volition.

### Outcome

The Court held that the acts complained of in the present case occurred within the contours of a relationship that was, at the time, voluntary and willing. The continuation of the prosecution in such facts would be nothing short of an abuse of the court machinery. Therefore, the Court allowed the appeal and set aside the Bombay High Court's order. The FIR filed under Sections 376, 376(2)(n), and 507 of the IPC were quashed.

## Yogendra Pal Singh v. Raghvendra Singh Alias Prince (2025 INSC 1367)

***"The phenomenon of dowry deaths represents one of the most abhorrent manifestations of this social malaise, where the life of a young woman is extinguished within her matrimonial home – not for any fault of her own, but solely to satisfy the insatiable greed of others."***

**Coram: Justice B V Nagarathna and Justice R Mahadevan**

In a judgment delivered on **28 November 2025**, the Supreme Court allowed the appeal, setting aside the High Court's order granting bail to the respondent, who was accused of causing the dowry death of his wife. The Court found that the High Court's order was perverse and unsustainable, as the High Court had ignored the statutory presumption under section 113B of the Evidence Act, which applies in dowry-death cases.

In this present case, the appellant was the father of the deceased woman, who died within four months of her marriage. At the time of marriage, the appellant had spent a substantial amount on cash, articles and jewellery. Soon after marriage, the deceased was subjected to continuous cruelty and harassment by her husband and in-laws for additional dowry, particularly a demand for a Fortuner car. The post-mortem revealed an abrasion on the left forearm, and the FSL report later confirmed the presence of aluminium phosphide poison.

Although an FIR was registered against the husband and in-laws under sections 498A, 304B, 328 IPC and sections 3 and 4 of the Dowry Prohibition Act, the investigation suffered from serious lapses. Respondent No.1 (husband) was arrested only after 104 days and also the in-laws named in the FIR were dropped from the chargesheet. Owing to concerns regarding fairness, the case was subsequently transferred to the CB-CID. While the Sessions Court rejected the respondent's bail application, the High Court granted bail, holding that "bail is the rule and jail is the exception".

The Supreme Court found that the High Court had erroneously granted bail to Respondent without considering the gravity of the offence, the undue delay in arrest, close proximity of dowry-related cruelty to the death and the corroborated dying declarations.

The court observed that sections 304B and 498A IPC and section 113B of the Evidence Act reflects the legislature's firm intent to safeguard married women from cruelty and harassment within their matrimonial homes and to combat the social evil of dowry. However, the High Court had failed to take into account this statutory requirement and relied solely on general bail principles without examining material evidence.

The court further clarified that once the prosecution establishes the ingredients of section 304-B IPC, the presumption under section 113B of the Evidence Act must be drawn.

The Court also held that dowry death is not merely an offence against an individual but a crime against society and granting bail in such cases despite grave incriminating circumstances erodes public confidence in the justice system. It reiterated that bail orders which disregard material considerations and settled legal principles are perverse and liable to be annulled.

Accordingly, the Supreme Court allowed the appeal, cancelled the respondent's bail, and directed him to surrender forthwith. The Court clarified that its findings were confined to the issue of bail cancellation and would not influence the trial on merits.

## Samiullah v. The State of Bihar & Ors.
## (2025 INSC 1292)

***"A requirement of rules, regulations or even law that impedes or restrains easy and effective transfer of property will be illegal as it has the direct effect of 'depriving of property' to that extent, and such delays, caused due to unreasonable and arbitrary restrictions, impinge the right to hold and dispose of property."***

**CORAM: Justice P S Narasimha and Justice Joymalya Bagchi**

In a judgment delivered on **07 November 2025,** a two-judge bench of the Supreme Court struck down sub-rules (xvii) and (xviii) of Rule 19 of the Bihar Registration Rules, 2008. These rules, introduced in 2019, mandated the production of proof of mutation (Jamabandi or holding allotment) in the name of the seller as a pre-condition for the registration of sale deeds.

The appellant challenged the rules on the ground that they were *ultra vires* the Registration Act, 1908, and arbitrary given the incomplete state of land surveys in Bihar. The Patna High Court had previously upheld the rules, reasoning that they fell within the ambit of the Inspector General's power to require a clear description of the property.

### Court's Reasoning and Key Observations

- **Ultra Vires Rule-Making Power:** The Court held that the Inspector General of Registration's power to make rules under section 69 of the Registration Act is limited to procedural and administrative matters (e.g., safe custody of records, form of memoranda). It does not extend to prescribing substantive conditions like proof of title or mutation for registration. Thus, the impugned rules were held to be *ultra vires* the parent Act.
- **Arbitrariness due to Ground Realities:** While acknowledging the State's intent to synchronise registration with land records, the Court noted that the process of mutation and land surveys in Bihar is "nowhere near completion." Making mutation a mandatory precondition in such a scenario unreasonably restricts the freedom to buy and sell property, infringing upon the constitutional right to property.
- **Registration vs. Title:** The Bench reiterated the dichotomy in Indian law where registration is of documents, not titles. While registration serves as a public record, it does not confer a government-guaranteed title.
- **Technology and Reform:** In a forward-looking observation, the Court suggested that the Central Government should explore emerging technologies like Blockchain to integrate property registration with conclusive titling. It noted that blockchain could offer a secure, tamper-proof system to record ownership, potentially reducing property disputes.

### Outcome

The Supreme Court allowed the appeals and quashed the notification introducing Rule 19 (xvii) and (xviii) of the Bihar Registration Rules, 2008. Additionally, it requested the Law Commission and the Union Government to constitute a committee to examine the feasibility of implementing a conclusive titling system using technology like Blockchain.

## Talli Gram Panchayat v. Union of India & Ors.
## (2025 INSC 1331)

***"It is of course a condition precedent that the communication must be clear and complete and if this condition is satisfied, it is logical to conclude that the person aggrieved cannot pick and choose later communications from other duty bearers for reckoning the period of limitation. It is the first accrual that would trigger the period of limitation prescribed under Section 16(h) of the Act."***

**Coram: Justice P S Narasimha and Justice A S Chandurkar**

The judgment delivered on **19 November 2025** was concerned with the mandatory period of limitation for filing an appeal against an Environmental Clearance (EC) order under section 16(h) of the National Green Tribunal (NGT) Act, 2010. The project proponent obtained an EC for limestone mining on January 5, 2017. The appellant, Talli Gram Panchayat, challenged this EC before the NGT with a delay condonation application, claiming they only learned of the EC *via* an RTI reply on February 14, 2017. The NGT dismissed the appeal as being filed beyond the maximum condonable period of 90 days. The Gram Panchayat filed a Civil Appeal before the Supreme Court. The Supreme Court affirmed the NGT's judgment, holding that the appeal was barred by the maximum mandatory period of limitation. The period of limitation commences from the earliest date on which the EC is communicated by any of the duty bearers.

### Court's Reasoning and Key Observations

The Supreme Court made several key observations regarding the communication of an Environmental Clearance and the commencement of the limitation period:

- **Period of Limitation:** Section 16(h) of the NGT Act provides a period of 30 days from the date of communication of the EC to prefer an appeal. This period can be extended by a further period not exceeding 60 days if the NGT is satisfied that there was sufficient cause for the delay. The maximum condonable period is 90 days.
- **Nature of Communication:** The communication of the EC order is intended to be *in rem* (to the public at large) and not *in personam* (to a specific person) because environmental issues operate as public law concerns. The expression "any person aggrieved" must receive a liberal construction.
- **Principle of Commencement of Limitation ('First Accrual'):** When the duty to communicate vests in multiple authorities, the limitation period commences from the earliest of the dates on which the communication is carried out by any of the duty bearers. This is based on the principle of "first accrual," where the period of limitation runs from the date when the right to sue first accrues. Once the condition of clear and complete communication is satisfied by one duty bearer, the aggrieved person cannot "pick and choose later communications from other duty bearers for reckoning the period of limitation".
- **Sufficiency of Communication by Project Proponent:** It is not a legal requirement that the entirety of the environmental clearance is published in the newspaper. It is sufficient compliance if the project proponent publishes the grant of the EC and indicates the substance of the conditions and safeguards.

The advertisement is sufficient if it notifies the public of the EC grant and indicates where the complete and comprehensive information is available (e.g., the website of MoEF&CC).

### Outcome

The NGT made a definitive factual finding that the EC dated January 5, 2017, was uploaded on the MoEF&CC website on the same day making it publicly accessible. This was the earliest communication of the EC. Thus, based on the "first accrual" principle, the 30-day limitation period commenced on January 5, 2017. The maximum condonable period of 90 days expired by the time the appellant filed its appeal on April 19, 2017. The court found no error in the Tribunal's conclusion that the appeal was barred by limitation. The Civil Appeal was finally dismissed.

## Poonam v. Dule Singh & Ors.
## (2025 INSC 1284)

***"...non-furnishing information pertaining to criminal antecedents has the effect of causing undue influence which creates an impediment in the free exercise of electoral right by a voter."***

**CORAM: Justice P S Narasimha and Justice A S Chandurkar**

The judgment delivered on **6 November 2025** was an appeal before the Supreme Court challenging the quashing of an election under the Madhya Pradesh Municipalities Act, 1961. The returned candidate (appellant) had been convicted for an offence under section 138 of the Negotiable Instruments Act, 1881 (hereinafter, the NI Act), and sentenced to one year's rigorous imprisonment. The key issue was whether the candidate's failure to disclose this conviction in the mandatory affidavit filed along with the nomination papers, as required by Rule 24A(1) of the Madhya Pradesh Nagar Palika Nirvachan Niyam, 1994, rendered the election void. The Supreme Court affirmed that the failure to disclose a mandatory conviction renders the nomination form improperly accepted and the election void. The non-disclosure itself is a material defect, making it irrelevant whether the non-disclosure ultimately affected the election result.

### Court's Reasoning and Key Observations

The Supreme Court emphasised the crucial role of mandatory disclosure in a democratic process:

- **Mandatory Disclosure Requirement:** The Court noted that Rule 24A(1) of the 1994 Rules, read with the affidavit format, mandates every candidate to furnish information regarding "any disposed criminal case in which he has been convicted," especially if sentenced to imprisonment for a duration of one year or more. The requirement to furnish such information is considered mandatory.
- **The Voter's Right to Know:** The right of the voter to know about the candidate's criminal antecedents is an integral part of the fundamental right to freedom of speech and expression guaranteed under Article 19(1)(a) of the Constitution of India. Suppression of vital information deprives the voter of exercising an informed choice.
- **Materiality of Non-Disclosure:** The Court held that the suppression of a conviction (like the one under section 138 of the N.I. Act) is a material defect that results in improper acceptance of the nomination form.
- **Irrelevance of Election Result:** When a nomination is improperly accepted due to

non-disclosure of mandatory information, the election of the returned candidate is rendered void, irrespective of whether the non-disclosure materially affected the result of the election. The improper acceptance alone is sufficient ground to quash the election.

### Outcome

The Court held that the failure to disclose a conviction mandated by Rule 24A(1) of the 1994 Rules results in the improper acceptance of the nomination form and such improper acceptance of a nomination renders the election of the returned candidate void. Moreover, the deliberate suppression of mandatory information is a material defect that breaches the statutory mandate and violates the democratic right of the voter to make an informed choice. Once improper acceptance is established due to non-disclosure of mandatory information, the election is voided, and there is no further requirement to prove that this impropriety materially affected the result of the election. The Special Leave Petition was, thus, dismissed and the High Court's decision to declare the appellant's election void was upheld.

## Jai Balaji Industries Ltd. And Ors. V. M/S Heg Ltd. (2025 INSC 1362)

***"The deeming fiction in the Explanation ensures that even if a cheque is delivered to a branch other than the home branch for commercial convenience, it shall be considered to have been delivered to the home branch for the legal purpose of determining jurisdiction."***

**CORAM: Justice J B Pardiwala and Justice R Mahadevan**

In the judgment pronounced on **28 November 2025**, the Supreme Court of India clarified the territorial jurisdiction for cheque dishonour complaints under Section 138 of the Negotiable Instruments (NI) Act. The judgment deals with the interpretation of Section 142(2)(a) of the Negotiable Instruments Act, 1881 (hereinafter, NI Act) which states that jurisdiction is exclusively vested in the court governing the home branch where the payee maintains his account, regardless of where the cheque was physically deposited for collection.

In the present case, the complainant filed a cheque dishonour complaint in Kolkata in 2014, where the accused's bank was located, and the trial proceeded to the stage of recording evidence under Section 145(2) of the NI Act. During the pendency of the case, Sections 142(2) and 142A were introduced by the 2015 Amendment to the NI Act stipulating that jurisdiction lies where the payee maintains their bank account (in this case, Bhopal). Following the amendment, the Kolkata court returned the complaint in 2016 on the request of the complainant, and it was re-filed in Bhopal. However, the accused challenged this, arguing that because the trial had already reached the evidence stage in Kolkata, it should have remained there to avoid procedural impropriety. Consequently, the accused filed a transfer petition under Section 446 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter, the BNSS) seeking to move the case back from Bhopal to Kolkata.

### Court's Reasoning and Observations

The Supreme Court framed and addressed the following two primary issues for determination:

**Issue 1:** Whether after the enactment of the Amendment Act, 2015, the court within whose

local jurisdiction the drawee bank is situated, has the jurisdiction to try a complaint under Section 138?

Prior to the 2015 Amendment, the Supreme Court's ruling in ***Dashrath Rupsingh Rathod v. State of Maharashtra*** had anchored jurisdiction at the place where the drawee bank (the bank of the person who issued the cheque) was located, as that was seen as the place where the offence of dishonour occurred.

After the introduction of the 2015 Amendment, the Court observed that with the introduction of Sections 142(2) and 142A, the Parliament intended to fill a "jurisdictional vacuum" and departed from the previous "offence-centric" understanding of jurisdiction established in the *Dashrath Rupsingh* case. The Court held that post amendment, jurisdiction for account payee cheques is exclusively vested in the court within whose local limits the payee's home branch (where they maintain their account) is situated. Moreover, the Court highlighted that the Explanation to Section 142(2)(a) creates a legal fiction that even if a cheque is physically delivered for collection at any other branch, it is deemed delivered to the home branch. This prevents "forum shopping" by ensuring the payee cannot choose a jurisdiction simply by depositing the cheque at a random branch.

**Issue 2**: Whether after the enactment of the Amendment Act, 2015, a complaint under Section 138 of the Act, 1881 can be transferred to the court within whose local jurisdiction the drawee bank is situated, if the recording of evidence under Section 145 has already commenced in the said court?

The court observed that the 2015 Amendment, particularly, Section 142A mandated that all pending cases be transferred to the court having jurisdiction under the new "Home Branch" rule. However, this created a procedural nightmare for cases that were almost finished.

Thus, relying on the principles in *Dashrath Rupsingh Rathod*, the Court ruled that if a trial has already reached the stage of recording evidence under Section 145(2), it should continue in that original court. The Court emphasized that forcing parties to restart a trial from scratch in a new jurisdiction (like Bhopal) after evidence has already been recorded would amount to procedural impropriety and would be detrimental to the accused. The Court held that the cases at the evidence-recording stage are an exception. Therefore, despite the 2015 Amendment's general rule, such cases must remain in (or be transferred back to) the original court to meet the ends of justice.

### Outcome

The Court held that jurisdiction in cheque dishonour cases is governed by Section 142(2) of the NI Act, a special provision overriding the CrPC/BNSS, and since the payee's account was not maintained in Kolkata, the Metropolitan Magistrate, Kolkata, lacked jurisdiction.

However, despite Section 142A ordinarily requiring transfer to the payee's home branch at Bhopal, the Court ordered the case to be transferred back to Kolkata, noting that the trial had already reached an advanced stage with evidence under Section 145(2) recorded, and directed that proceedings resume from the same stage.

## Robert Lalchungnunga Chongthu v. State of Bihar (2025 INSC 1339)

***"...there has been an evolution in legislative wisdom over the years and the criminal procedure have moved from a period of no timelines and minimal judicial interventions/oversight to progressively more oversight and recognition of the need to conclude investigations in time."***

**CORAM: Justice Sanjay Karol and Justice N Kotiswar Singh**

The judgment delivered on **20 November 2025** by a two-judge bench, was an appeal against criminal proceedings initiated against the appellant (an IAS officer). The appeal before the Supreme Court was filed by the appellant following the High Court's refusal to exercise its inherent powers under Section 482 of the Criminal Procedure Code (hereinafter, CrPC) to quash the criminal proceedings against him.

The case originated in 2005 with the registration of an FIR, alleging that the Appellant, while serving as District Magistrate-cum-Licensing Authority between 2002 and 2005, issued arms licences to fictitious and medically unfit persons without due police verification. A major issue revolved around the validity of the sanction to prosecute under Section 197 of the CrPC and the legality of the proceedings due to an inordinate and unexplained delay in the investigation. The Supreme Court held that an unexplained, inordinate delay in investigation violates the accused's fundamental right to a speedy trial under Article 21 of the Constitution. The cumulative effect of a mechanical, non-speaking sanction order and a 15-year delay warranted the quashing of the criminal proceedings.

### Court's Reasoning and Key Observations

The Supreme Court emphasised the constitutional right to speedy justice and the need for timely closure in criminal matters:

- **Right to Speedy Investigation (Article 21):** The fundamental right to life and personal liberty under Article 21 of the Constitution includes the right to a speedy investigation and trial.
- **Investigation Cannot Be Endless:** The Court explicitly observed that the process of investigation cannot continue endlessly. The accused cannot be made to suffer indefinitely "with this threat of continuing investigation and eventual trial proceedings bearing over their everyday existence".
- **Accused's Entitlement to Certainty:** The accused is "not out of place to expect, after a certain point in time, certainty" about the charges against him, which is essential for preparing his defence.
- **Delay as a Ground for Quashing:** Delay in the completion of the investigation will function as one of the grounds for a court, if satisfied, to quash the criminal proceedings under section 482 of the CrPC.
- **Mandate for Application of Mind in Sanction:** The order granting sanction to prosecute a public servant under section 197 CrPC must clearly disclose the application of mind by the sanctioning authority. This must include the consideration of all the evidence and material placed before it, as a mechanical and non-speaking sanction order vitiates the prosecution.

The court also deemed fit to issue the following directions, emphasizing that the right to a speedy investigation is an integral part of the right to a fair trial under Article 21:

1. **Judicial Stewardship in Further Investigation:** The Court directed that once a court grants leave for further investigation, it is not rendered *functus officio* but must instead maintain active judicial stewardship and control over the process to ensure it does not continue endlessly. The court has a duty to supervise that investigation.

2. **Reasons as the Bedrock of Fairness:** The Court highlighted that reasons are indispensable to the proper functioning of the machinery of criminal law, as they form the foundation of transparency and accountability. It directed that if a significant gap is found between the FIR and the final chargesheet, and the accused substantiates this with proof, the Court is bound to seek an explanation from the investigating agency to satisfy itself regarding the propriety of the delay.

3. **Prohibition of Endless Investigations:** While acknowledging that investigations have many moving parts making strict timelines impractical, the Court established that investigations cannot continue endlessly. The Court also directed that if an investigation continues for an unduly long period without adequate justification, both the accused and the complainant are at liberty to approach the High Court under Section 482 of the CrPC (or Section 528 of the BNSS) to seek an update or the quashing of proceedings. However, the Court clarified that delay in completion of investigation will only function as one of the grounds, and must be considered alongside other factors when deciding to entertain such an application.

### Outcome

The Court held that the criminal proceedings are liable to be quashed where an inordinate and unexplained delay in completing the investigation violates the accused's right under Article 21 of the Constitution and a mechanical sanction under section 197 CrPC, which does not reflect the necessary application of mind, vitiates the prosecution. Accordingly, the appeal was allowed.

> *Truth is by nature self-evident. As soon as you remove the cobwebs of ignorance that surround it, it shines clear.*
>
> Mahatma Gandhi

> *Cultivation of mind should be the ultimate aim of human existence.*
>
> B R Ambedkar

# Training Hub

## Induction Training for Newly Recruited Junior Court Assistants



*03-06 November 2025: Justice N Kotiswar Singh, Judge, Supreme Court of India, addressed the newly recruited Junior Court Assistants during the three-day Induction Training Programme organised by the Training Cell*

## Food Safety Training and Certification (FoSTaC) Programme for Canteen Staff



*01 November 2025: The Training Cell, in collaboration with the Food Safety and Standards Authority of India (FSSAI), Ministry of Health & Family Welfare, Government of India, organised a Food Safety Training and Certification (FoSTaC) Programme for the canteen staff, including Stewards and Cooks*

## Follow Up Training for Newly Recruited Junior Court Assistants

*15 November 2025: The Training Cell organised a 'Follow-up Training Session' after induction of the newly recruited Junior Court Assistants*



## Five-Day Branch-Specific Training for the Officers/Officials of Translation Cell

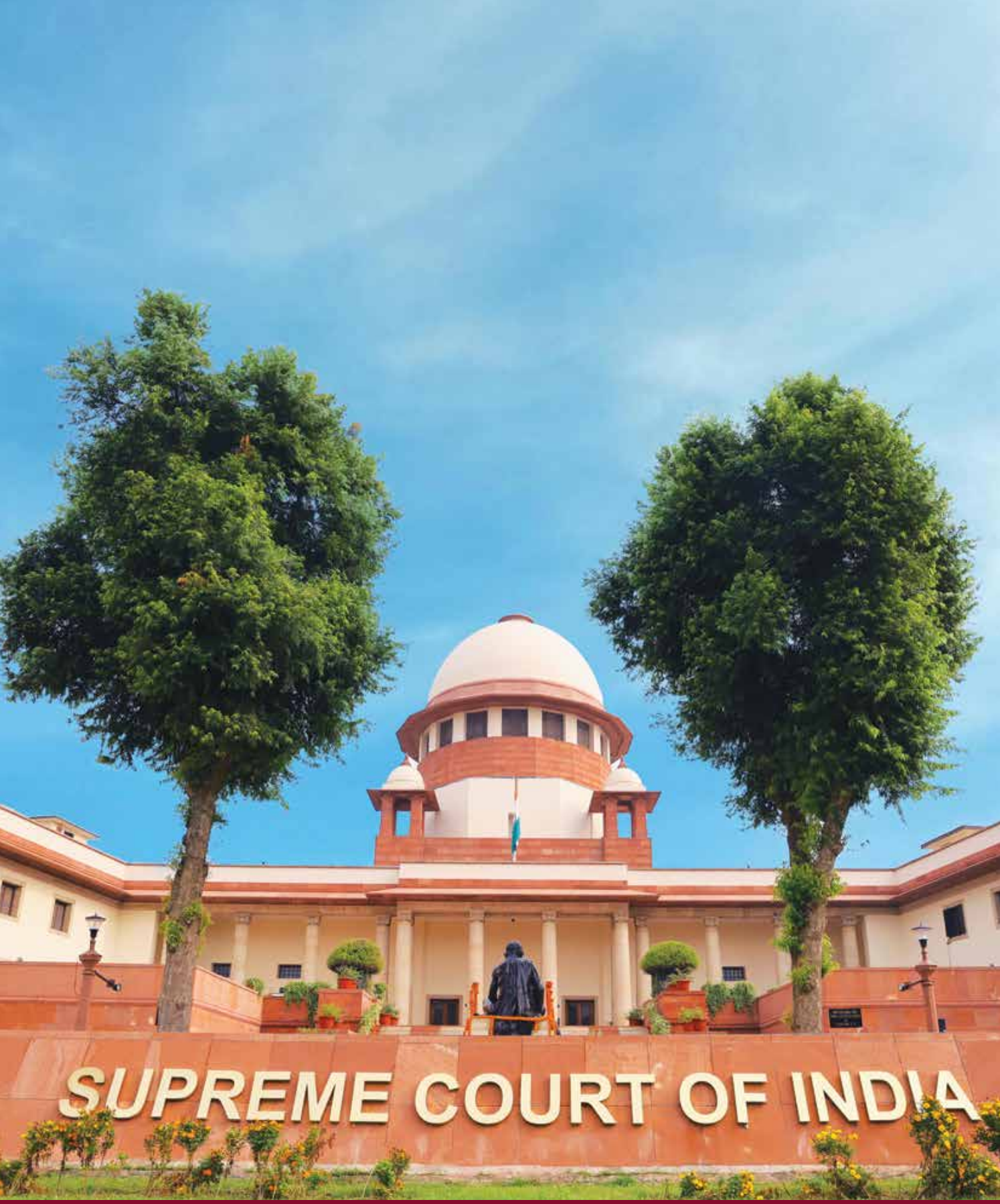



*10-14 November 2025: The Training Cell, with the support of the Legislative Department, Ministry of Law & Justice, organised a five-day Translation Training Programme for the Officers and Officials of the Translation Cell*

## Workshop on Right to Information for Branch Officers



*14 November 2025: The Training Cell organised a Workshop on Right to Information for Branch Officers of the Registry of the Supreme Court of India*




**Supreme Court of India**
Tilak Marg, New Delhi-110001

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